

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

WAPP TECH LIMITED PARTNERSHIP and
WAPP TECH CORP.,

Plaintiffs,

V.

BANK OF AMERICA, N.A.,

Defendant.

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Case No. 4:21-cv-00670-ALM

JURY TRIAL DEMANDED

AGREED ORDER TO EXTEND PRE-TRIAL DEADLINES

| Amended Deadline | Existing Deadline | Deadline Description |
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| | July 18, 2022 | Comply with P.R. 3-7 on designation of willfulness opinions. |
| October 1, 2022 | August 5, 2022 30 days after entry of the claim construction order | Mediation deadline. |
| October 20, 2022 | August 18, 2022 | Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations, and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this court's order or that Patent Rules, nor an excuse to delay disclosure of information. It is a catchall deadline for provision of all remaining information that may be relevant to a claim or defense of any party at trial. |

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| October 20, 2022 | August 18, 2022 | Fact Discovery Deadline. All discovery must be served in time to be completed by this date. |
| October 27, 2022 | August 25, 2022 | Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(2)(B). |
| November 22, 2022 | September 20, 2022 | Parties designate expert witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B). Objections to any expert, including Daubert motions, shall be filed within 3 weeks of the Expert Report disclosure. Such objections and motions are limited to ten pages. |
| December 13, 2022 | | Objections to any expert, including Daubert motions, shall be filed within 3 weeks of the Expert Report disclosure. Such objections and motions are limited to ten pages. |
| December 1, 2022 | September 29, 2022 | Deadline to file dispositive motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rules CV-7. Responses to motions shall be due in accordance with Local Rule CV-7(e). Expert Discovery deadline |
| December 22, 2022 | | Responses to Dispositive Motions |
| December 23, 2022 | | Responses to expert objections/Daubert Motions |

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| January 5, 2023 | | Replies to Dispositive Motions |
| January 6, 2023 | | Replies to expert objections/Daubert Motions |
| January 12, 2023 | | Sur-replies to Dispositive Motions |
| January 13, 2023 | | Sur-replies to expert objections/Daubert Motions |
| January 20, 2023 | January 13, 2023 | <p>Notice of intent to offer certified records.</p> <p>Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (See www.txed.uscourts.gov) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases)).</p> |
| January 26, 2023 | January 19, 2023 | <p>Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross-examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the court.</p> <p>The party who served an initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the Court's rulings on objections.</p> |
| January 25, 2023 | January 18, 2023 | <p>Motions in limine due.</p> <p>File Joint Final Pretrial Order (see www.txed.uscourts.gov.) Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court</p> |

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| | | <p>is a hyperlinked exhibit list on disk (2 copies) and no hard copies.</p> <p>If Parties will be requesting daily copy of the transcript during trial, they must notify the Court's court reporter Chris Bickham, Chris_Bickham@txed.uscourts.gov by this date.</p> |
| February 2, 2023 | January 26, 2023 | <p>Objections and counter deposition designations due. Counsel must consult on any objections and only those that cannot be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the court's rulings on objections.</p> |
| February 8, 2023 | February 3, 2023 | <p>Responses to motions in limine due.</p> <p>File objections to witnesses, depositions extracts, and exhibits, listed in pre-trial order. This does not extend the deadline to object to expert witnesses. If numerous objections are filed, the court may set a hearing prior to docket call.</p> <p>File Proposed Jury Instructions and Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).</p> |
| February 17, 2023 | February 17, 2023 | <p>Final Pretrial Conference at 9:00 a.m. at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas.</p> |
| | TBD | <p>Jury selection and trial at 10:00 a.m. at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas.</p> |

IT IS SO ORDERED.

SIGNED this 22nd day of July, 2022.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE